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NOTICE OF ALLOWANCE AND FEE(S) DUE

45979

7590

02/26/2008

PERKINS COIE LLP/MSFT
P. O. BOX 1247
SEATTLE, WA 98111-1247

EXAMINER

MEINISCKE DIAZ, SUSANNA M

ART UNIT

PAPER NUMBER

3692

DATE MAILED: 02/26/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/721,141	11/22/2000	Neelamadhaba Mahapatro	41826880US1	7049

TITLE OF INVENTION: SYSTEM AND METHOD FOR GENERATING A SCHEDULE BASED ON RESOURCE ASSIGNMENTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$0	\$0	\$1440	05/27/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

45799 7590 02/26/2008

**PERKINS COIE LLP/MSFT
P. O. BOX 1247
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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/721,141 11/22/2000 Neelamadhaba Mahapatro 418268800US1 7049

TITLE OF INVENTION: SYSTEM AND METHOD FOR GENERATING A SCHEDULE BASED ON RESOURCE ASSIGNMENTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$0	\$0	\$1440	05/27/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
MEINECKE DIAZ, SUSANNA M	3692	705-008000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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45979	7590	02/26/2008		
PERKINS COIE LLP/MSFT P. O. BOX 1247 SEATTLE, WA 98111-1247				
EXAMINER MEINCKE, DIAZ, SUSANNA M				
ART UNIT			PAPER NUMBER	
3692				
DATE MAILED: 02/26/2008				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

09/721,141

Examiner

Susanna M. Diaz

Applicant(s)

MAHAPATRO, NEELAMADHABA

Art Unit

3692

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Examiner's amendment agreed to on February 1, 2008.
2. ☒ The allowed claim(s) is/are 72,73,77-80,82,84-87,89 and 91.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Susanna M. Diaz/
Primary Examiner, Art Unit 3692

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Maurice Piro (Reg. No. 33,273) on February 1, 2008.

The application has been amended as follows:

1-71. (Canceled)

72. (Currently Amended) A computer-implemented method for generating a schedule for a project, the method comprising:

receiving resource information describing a plurality of different resources available to tasks of the project, the resources having resource constraints;

receiving task information identifying tasks of the project and task constraints, a task specifying one or more resources that are to be used to complete the task, a task constraint for a task specifying dependencies of that task on other tasks;

for each task, automatically subdividing the task into one or more assignments, the assignments being subdivisions of the designated task, each assignment completable by only one resource and having an assignment constraint based on the task constraint of the task, wherein at least two tasks are each subdivided into multiple assignments;

grouping the assignments of the tasks of the project into groups based on the number of the dependencies of the task constraints of the task from which

each assignment was subdivided, each group being assigned a priority; and
for each group in priority order, individually scheduling the assignments of that group to start at a start time based at least on the assignment constraint of the assignment and a resource constraint of the resource by which the assignment is completable, wherein at least some of the start times of the assignments of a task are different.

73. (Previously Presented) The method of claim 72 including:
receiving priorities for the tasks; and
scheduling the assignments of a high priority task before scheduling the assignments of a low priority task.

74-76. (Canceled)

77. (Previously Presented) The method of claim 72 including
receiving a time constraint of a task; and
scheduling the assignments of tasks so that the time constraint of the task is satisfied.

78. (Previously Presented) The method of claim 72 wherein the scheduling of the assignments of tasks schedules assignments to satisfy start-on constraints before satisfying must-finish-by constraints.

79. (Currently Amended) A computer-readable medium encoded with computer-executable instructions for controlling a computer system to generate a schedule for a project, by a method comprising:

providing resource information describing a plurality of different resources available to tasks of the project and resource constraints, the resources having resource constraints;

providing task information identifying tasks of the project and task constraints, a task specifying one or more resources that are to be used to complete the task, a task constraint for a task specifying dependencies of that task on other tasks;

for each task, automatically subdividing the task into assignments, each assignment completable by only one resource and having an assignment constraint based on the task constraint of the task, wherein at least two tasks are each subdivided into multiple assignments;

grouping the assignments of the tasks of the project into groups based on the number of the dependencies of the task constraints of the task from which each assignment was subdivided, each group being assigned a priority; and

for each group in priority order, individually scheduling the assignments of that group to start at a start time based at least on the assignment constraint of the assignment and a resource constraint of the resource by which the assignment is completable; wherein at least some of the start times of the assignments of a task are different.

80. (Previously Presented) The computer-readable medium of claim 79 including:

providing priorities for the tasks; and

scheduling the assignments of a high priority task before scheduling the assignments of a low priority task.

81. (Canceled)

82. (Previously Presented) The computer-readable medium of claim 79 including:

scheduling the assignments of independent tasks before the assignments of dependent tasks.

83. (Canceled)

84. (Previously Presented) The computer-readable medium of claim 79 including

providing a time constraint of a task; and

scheduling the assignments of tasks so that the time constraint of the task is satisfied.

85. (Previously Presented) The computer-readable medium of claim 79 wherein the scheduling of the assignments of tasks schedules assignments to satisfy start-on constraints before satisfying must-finish-by constraints.

86. (Currently Amended) A computer system for generating a schedule for a project, comprising:

a computer-readable medium containing resource information describing a plurality of different resources available to tasks of the project and resource constraints, the resources having resource constraints, and containing task information identifying tasks of the project and task constraints, a task specifying one or more resources that are to be used to complete the task, a task constraint for a task specifying dependencies of that task on other tasks;

a component to subdivide each task into one or more assignments, each assignment completable by only one resource and having an assignment constraint based on the task constraint of the task wherein at least two tasks are each subdivided into multiple assignments;

a component for grouping the assignments of the tasks of the project into groups based on the number of the dependencies of the task constraints of the task from which each assignment was subdivided, each group being assigned a priority; and

a component, to individually schedule for each group in priority order, the assignments of that group to start at a start time based at least on the assignment constraint for the assignment, and a resource constraint of the resource by which the assignment is completable, wherein at least some of the start times of the assignments of a task are different.

87. (Previously Presented) The computer system of claim 86 wherein the component that schedules the assignments schedules assignments of a high priority task before scheduling the assignments of a low priority task.

88. (Canceled)

89. (Previously Presented) The computer system of claim 86 wherein the component that schedules the assignments schedules assignments of tasks without dependencies before the assignments of tasks with dependencies.

90. (Canceled)

91. (Previously Presented) The computer system of claim 86 wherein the component that schedules the assignments of tasks schedules assignments to satisfy start-on constraints before satisfying must-finish-by constraints.

Note: A limiting definition of "components" is made of record on pages 2-3 of the final rejection mailed September 11, 2007.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

All references cited on the attached PTO 892 Form are directed toward scheduling systems.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (571) 272-6733. The examiner can normally be reached on Monday-Friday, 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Susanna M. Diaz/
Primary Examiner, Art Unit 3692
February 4, 2008